

MINUTES OF THE MEETING OF THE FISH AND GAME COMMITTEE
January 29, 1981

The meeting was called to order at 5:00 p.m. by Chairman Ellison. All committee members were present except Representatives Hart, Manuel and Ryan.

EXECUTIVE SESSION

House Bill 180

Representative Feda moved HB 180 DO NOT PASS. The motion was seconded by Representative Devlin.

Representative Nilson said he would like to see Billings get a recreations site but can't vote in favor of the bill.

Representative Daily agreed with Representative Nilson but asked if it was possible to limit the amount of money that can be spent.

Representative Mueller said he had looked through the list of potential land acquisitions and said the Lake Elmo purchase would be the best acquisition as far as cost-benefit was concerned. He therefore made a substitute motion that HB 180 DO PASS. Representative McLane seconded the motion.

Representative Jacobsen told the committee he thought the land acquisition projects had to go through the appropriations committee and if this bill doesn't pass this committee it will not be heard in the appropriations committee which he didn't think was fair.

Representative Ellison told the committee they could PASS WITHOUT RECOMMENDATION.

Representative Feda asked if this committee couldn't come up with a committee bill and allow the Department of Fish, Wildlife, & Parks (F, W, & P) an amount of money to negotiate with.

Representative Nilson asked if it would be proper to table this bill until the other land acquisition bills have been heard. Chairman Ellison told him this committee has to do something with the bill fairly quick so F, W, & P can get the money to study the situation. He said F, W, & P would come back during this session with a figure for the appropriations committee.

Russ Josephson, legal counsel for this committee, told the committee the appropriations measure can include within it a specified appropriation or, theoretically, a proposition for a means of determining the amount later. He said the language could say

The F, W, & P can negotiate and if the figure is an [amount specified by the committee] then the F, W, & P can go ahead with the acquisition.

Representative Daily suggested amending the bill, placing a limit of \$600,000 plus other F, W, & P properties and let F, W, & P negotiate. Chairman Ellison said the amendment still has an unspecified amount of land.

Russ asked if the \$600,000 would include costs for F, W, & P to negotiate with. Representative Daily said yes.

Representative Jensen suggested calling on the Billings delegation, which includes a real estate salesman and a banker, to come up with a proper figure to put in the bill.

Representative Kitselman, sponsor of HB 180 said all he wants from this committee is the go ahead to start negotiating and have F, W, & P come back with a workable figure for this committee.

Russ Josephson read an amendment he had drafted for Representative Kitselman. The amendment reads as follows:

Page 1, line 13.

Following: "sum"

Strike: remainder of line 13 and lines 14 and 15

Insert: "equal to the amount determined by the department, which shall have the power to negotiate, after M.A.I.A. appraisal paid for by the department and followed by a departmental review. The amount negotiated then must be approved by the joint appropriations committee."

Representative Daily asked if Russ should put in "legislature" instead of "appropriations committee". Chairman Ellison said he thought "appropriations committee" was right.

Representative Daily moved the amendments. Representative Phillips seconded the motion. The motion was voted on and PASSED with everyone voting "aye" except Representatives Burnett, Jensen and Fedá.

Representative Devlin said he resisted the motion because there are eleven other land acquisition projects and this motion would tie up those funds.

Representative Jensen made a motion for all motions pending to DELAY ACTION until Representative Kitselman contacts the Billings delegation and lets them figure out the proper amount on the Lake

Elmo property. A roll call vote was taken. Those voting "aye" were Representatives Ellison, Burnett, Devlin, Jacobsen, Jensen, Nilson and Roush. The other committee members voted "no". The motion PASSED.

Representative Jacobsen moved to RECONSIDER ACTION ON HB 180. All committee members voted "aye" except Representative Devlin who voted "no".

Representative Jacobsen then moved to request F, W, & P to get an appraisal to this committee before further action is taken on HB 180. The motion was voted on and PASSED with Representatives Bennett, Roush, Feda, Robbins and Devlin voting "no" and the rest of the committee voting "aye".

HOUSE BILL 152

Representative Burnett moved HB 152 DO NOT PASS. The motion was voted on and PASSED with all committee members voting "aye" except Representatives Daily, Mueller and Bennett.

HOUSE BILL 251

Chairman Ellison assigned HB 251 to a subcommittee. He appointed Representative Jensen as chairman and assigned Representatives Burnett and Daily to also serve on the subcommittee. They are to work with Russ Josephson regarding the amendments offered by Representative Curtiss.

HOUSE BILL 406

Representative Nilson moved HB 406 DO NOT PASS. He read a telegram from Mr. Pat Hoen (EXHIBIT 1).

There was discussion on HB 406.

Representative Feda made a motion to have Russ amend HB 406 to exclude all parks, park improvements and fishing accesses.

The motion was discussed and Chairman Ellison said he would recess this executive session until next week.

The hearing on HB 406 was then recessed.

The meeting was adjourned at 6:00 p.m.


ORVAL ELLISON, Chairman

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WU LEG HEL

WU INFOMASTER 1-023157A026 01/26/81.

ICS IPMPTUC PTL

ZCZC 03491 01-26 0324P PST

TLX 313137 WU LEG HEL

4-053030S026 01/26/81

ICS IPMPTZZ CSP

4064543441 TDMT GREAT FALLS MT 53 01-26 0621P EST

PMS REPRESENTATIVE LES NILSON RPT DLY MGM

HELENA MT

BT

THE GIANT SPRINGS HERITAGE STATE PARK COMMISSION OPPOSES HB406 BECAUSE OF THE UNNECESSARY BURDEN IT WOULD PLACE ON THE PARKS' DIVISION BUDGET. IN ADDITION, IT COULD JEOPARDIZE FUNDS RAISED BY THE GREAT FALLS COMMUNITY TOWARDS EXPANSION AND DEVELOPMENT AT GIANT SPRINGS - HERITAGE STATE PARK. WE STRONGLY URGE YOU TO OPPOSE THIS BILL.

HERITAGE PARK COMMISSION CHAIRMAN MR PAT HOEN

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1823 EST

*Rep Curtis
will get you!*

NNNN
1833 EST

WU LEG HEL

